

143-215.70. Secretary of Environment, Health, and Natural Resources authorized to accept applications.

The Secretary is authorized to accept applications for grants for nonfederal costs relating to water resources development projects from units of local government sponsoring such projects, except that this shall not include small watershed projects reviewed by the state Soil and Water Conservation Commission pursuant to G.S. 139-55. (1979, c. 1046, s. 1; 1987, c. 827, s. 154; 1989, c. 727, s. 218(109).)

Effect of Amendments. - The 1989 Natural Resources” for “Natural Resources and amendments, effective July 1, 1989, substituted Community Development” in the catchline. “Environment, Health, and

143-215.71. Purposes for which grants may be requested.

Applications for grants may be made for the nonfederal share of water resources development projects for the following purposes in amounts not to exceed the percentage of the nonfederal costs indicated:

- (1) General navigation projects that are sponsored by local governments - eighty percent (80%);
- (2) Recreational navigation projects - twenty-five percent (25%);
- (3) Construction costs for water management (flood control and drainage) purposes, including utility and road relocations not funded by the State Department of Transportation - sixty-six and two-thirds percent (66 2/3%), but only of that portion of the project specifically allocated for such flood control or drainage purposes;
- (4) Stream restoration - sixty-six and two-thirds percent (66 2/3%);
- (5) Protection of privately owned beaches where public access is allowed and provided for - seventy-five percent (75%);
- (6) Land acquisition and facility development for water-based recreation sites operated by local governments - fifty percent (50%);
- (7) Aquatic weed control projects sponsored by local governments - fifty percent (50%). (1979, c. 1046, s. 1; 1983, c. 450; 1987, c. 781, s. 1.)

Effect of Amendments. - Session Laws 1987, c. 781, S. 1, effective August 12, 1987, added subdivision (7).

143-215.72. Review of applications.

- (a) The Secretary shall receive and review applications for the grants specified in this Part and approve, approve in part, or disapprove such applications.
- (b) In reviewing each application, the Secretary shall consider:
 - (1) The economic, social, and environmental benefits to be provided by the projects;
 - (2) Regional benefits of projects to an area greater than the area under the jurisdiction of the local sponsoring entity;
 - (3) The financial resources of the local sponsoring entity;
 - (4) The environmental impact of the project;
 - (5) Any direct benefit to State-owned lands and properties. (1979, c. 1046, s. 1.)

143-215.73. Recommendations and disbursal of grants.

After review of grant applications, project funds shall be disbursed and monitored by the Department. After review, but before transfer of funds from the Department's reserve fund into accounts for specific projects, the Secretary may forward the applications to the Advisory Budget Commission for its review of the recommendations. (1979, c. 1046, s. 1; 1983, c. 717, s. 70; 1985 (Reg. Sess., 1986), c. 955, s. 93; 1987, c. 827, s. 154.)

Editor's Note - Section 1 of Session Laws 1985 (Reg. Sess., 1986), c. 955 provides: "This act may be cited as the Separation of Powers Act of 1986."

Session Laws 1985 (Reg. Sess., 1986), c. 955, s. 127, is a severability clause.

Effect of Amendments - The 1985 (Reg.

Sess., 1986) amendment, effective July 1, 1986, rewrote this section.

The 1987 amendment, effective August 13, 1987, substituted "Department" for "Department of Natural Resources and Community Development."